



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
P.O. Box 8044  
Madison, Wisconsin 53708-8044  
TTY: Contact Through Relay  
**Jim Doyle, Governor**  
**Richard J. Leinenkugel, Secretary**

## Wisconsin Department of Commerce, Bureau of PECFA Bid Document

### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 65  
**Commerce #:** 53575-1529-20-A  
**BRRTS #:** 03-13-002215  
**Site Name:** Andy's Tire & Muffler  
**Site Address:** 220 Janesville St, Oregon, 53575  
**Site Manager:** Wendell Wojner  
**Address:** 3911 Fish Hatchery Rd  
**City, State Zip:** Fitchburg, WI 53711-5367  
**Phone:** 608-275-3297  
**e-mail:** wendell.wojner@wisconsin.gov  
**Bid Manager:** Ralph N. Smith  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 261-6543  
**e-mail:** ralph.smith@wisconsin.gov

<b>Bid-Start Date:</b>	<b>March 1, 2010</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>March 15, 2010, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>April 2, 2010</b>
<b>Bid-End Date and Time:</b>	<b>April 16, 2010, 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**Xer-lith Printing, 131 W. Wilson Street, Madison, WI 53703**

**Phone: (608) 257-9700**

**Fax: (608) 257-9700**

## **SECTION 2 – Site-Specific Bid Requirements**

### **General Comments**

In April of 1994 five USTs (two 4,000 gallon gasoline, one 3,000 gallon gasoline, one 1,000 gallon fuel oil and one 550 gallon waste oil) were abandoned by removal at the site. Several holes were noted in the tanks at the time of removal. Investigation was conducted at the site from December of 1997 through May of 2007 (eleven groundwater monitoring wells and two piezometers). The horizontal extent of the soil contamination in the vadose zone is estimated to be oval shaped measuring 50 by 35 feet. Free product (LNAPL) has been encountered in monitoring wells MW-1, MW-2 and MW-7. Soils at the site are reportedly four to six foot of silt underlain by fine to medium grained sand. Sandstone Bedrock was encountered at 27 to 30 feet below ground surface (bgs) at the site. Groundwater is reported to be between 8.3 and 14.3 feet bgs at the site, and flows to the northeast.

### **Minimum Remedial Requirements**

1. Contaminated soil shall be remediated by means of soil excavation and off-site disposal. Disposal shall occur immediately following excavation. The areas of excavation shall include the area of the former dispensers and the area of the former underground storage tanks (USTs). The area of excavation shall include all soils exceeding NR 746.06 Table 1 values or Table 2 values. The volume of this soil to be excavated in the area described is estimated to be ~650 cubic yards. This is based on an estimated area 50' x 35' x 10' deep (See diagram). With clean overburden accounted for, it is estimated that ~350 tons of contaminated soil will then be disposed of at a solid waste management facility. The use of field screening or other appropriate technology is required in order to segregate clean excavated soil from contaminated soil for disposal.

This same field screening technology shall also be used to determine the horizontal and vertical extent of excavation to remove as much as possible of the soil that exceeds the Table 1 and Table 2 values noted above. The presence of impediments to excavation, such as a building foundation or a street, may restrict the areas that can be excavated.

The excavation shall be back-filled with the clean soils segregated during excavation activities, as well as imported, clean material similar to or finer-grained than the native soil. This backfill soil shall be placed in one-foot thick compacted lifts. Compaction costs are included with this bid. Post-excavation confirmation soil samples must be collected, one from each side and one from the bottom of each excavation (ten soil samples total). Each soil sample shall be analyzed for petroleum volatile organic compounds PVOCs and PAHs. The surface of the excavation shall be restored with the same type of material in place prior to the soil removal. PECFA will reimburse up to a maximum of 50% of the costs for installation of new asphalt in the footprint of the excavation subject to claim review at claim time. Include 50% of asphalt replacement costs with this estimate. A remedial excavation report shall be provided within one month of completion of the excavation work to both agencies.

2. Because the soil removal probably necessitates the removal of monitoring wells MW-1, MW-2, PW-9 and PW-10 the replacement of at least two wells in their same location after the completion of soil excavation required above is included in this scope of work. The four monitoring wells shall be properly abandoned per NR 141.25 prior to removal. The replacement monitoring wells shall meet all code requirements per NR 141 and the NR 700 rule series.

3. Conduct groundwater sampling and analysis quarterly for four rounds for a period of one year after completion of the soil excavation task. For the first round of sampling, all of the following monitoring wells associated with this site should be sampled:

Replacement for MW-1, Replacement for MW-2, MW-3R, MW-4, MW-5, MW-6, MW-7, MW-8, MW-11, MW-12 and MW-13. The first groundwater sample event per this scope of work bid shall be scheduled at least two months after the remedial excavation.

Analyze these groundwater samples for PVOCs and PAHs. Subsequent sampling rounds should be conducted for the following monitoring wells: Replacement for MW-1, Replacement for MW-2, MW-5, MW-6 and MW-7.

4. Measure groundwater elevations, based on National Geodetic Survey data and levels of free product, in all of the site's monitoring wells in each of the required monitoring rounds and include the results in tabular form in the report required below. For LNAPL encountered in any monitoring well, measure the depth to, and thickness of (inches or feet) free product. Wells containing free product are to have free product removed during each quarterly monitoring event. Groundwater samples should be collected from wells containing free product, and analyzed for PVOCs plus PAHs after LNAPL removal. Proper disposal of all the associated wastes and collected free product is required at the completion of the monitoring events.

Prepare a groundwater flow map, including equipotential contour lines and flow direction arrows, for the water table observation wells. These flow maps shall be prepared for each sampling round and be included in the report required in the task that follows below.

5. The bid shall include costs for disposal of all investigative waste; in this case, purge water and soil. All waste barrels generated from site work activities must be labeled and placed in an inconspicuous place on the site and removed from the site within two weeks of each sampling round. Dispose of the waste in accordance with s. NR 716.11(6), Wis. Adm. Code.

6. Submittal of semi-annual groundwater monitoring reports will include, but not be limited to, a discussion of LNAPL hand bailing efforts, plume dynamics, and natural attenuation trends based on groundwater quality, water level fluctuation, and seasonality. Property boundaries in common with all adjacent properties shall be depicted on all site figures. The reports will include, but not be limited to, required and customary data and documentation, such as tables and figures depicting current and historic groundwater chemistry and flow, and copies of laboratory reports and chain of custody forms. The final report shall be submitted to Commerce and WI DNR within 30 calendar days of receiving the laboratory analytical data for that reporting period. Also include in the report a description of any other work activities completed in accordance with this bid.

7. Reporting per Comm 47.70 (Web Reports) is required.

8. The cost to fulfill *a//* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Procedure (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required by the landfill operator.

9. Cost estimate for use of a pumping truck to remove groundwater from the excavation to maximize the amount of contaminated soil removed from below the water table. This cost is for one 8-hour day on the day that the soil removal area have been excavated to

the water table and would be utilized only if contaminated soil cannot be removed from below the water table because of the presence of water at the bottom of the excavation. DNR and Commerce shall both be notified and approval received *in advance* from both agencies prior to work being done. It includes all costs for mob/demob, labor, time, equipment and materials.

10. Cost estimate for contaminated soil excavation, hauling, backfill, compaction, additional confirmation sampling, and disposal costs (includes mob/demob) on a \$/ton unit rate, in case more soil is removed than previously estimated. DNR and Commerce shall both be notified and approval received *in advance* from both agencies prior to work being done. All mob/demob and per diem costs are to be included with the bid.

**For any additional costs consideration, costs will be further reviewed by both agencies using the U&C Cost Schedule and/or bid variance approval process.**

### **SECTION 3 - Reporting Timeframes**

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

#### Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

## Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

### **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

## **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

**BID RESPONSE – BID ROUND 65**

**(1<sup>st</sup> Page)**

Department of Commerce PECFA Program

**Site Name: Andy's Tire & Muffler**

**Commerce #: 53575-1529-20-A**

**BRRTS #: 03-13-002215**

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2760 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     ) - \_\_\_\_\_

Fax Number: (     ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_



**BID RESPONSE – BID ROUND 65****(2<sup>nd</sup> Page)**

Department of Commerce PECFA Program

**Site Name: Andy's Tire & Muffler****Commerce #: 53575-1529-20-A****BRRTS #: 03-13-002215****Consulting Firm Name:** \_\_\_\_\_

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Groundwater monitoring (include collection, analysis (PVOC + PAH), water elevation measurement, waste disposal, measurement & disposal of LNAPL, mob/demob) per event per the bid language.	\$	
2	Number of Monitoring events	\$	4
3	Monitoring Subtotal (Row 1 X Row 2)	\$	
4	Documentation (remedial excavation report, two semi-annual reports, online (Web) reports, correspondence, etc.)	\$	
5	Remedial Excavation (an excavation, 50' X 35' X 10' deep (See diagram), & tasks per the bid document. A lump sum (commodity + consultant costs) based on tonnage. Include 50% of asphalt replacement costs with this estimate.	\$	
6	Abandonment of four wells in the excavation, with replacement of two wells only per the bid language.	\$	
7	Collection and Analysis of TCLP Soil Samples for Landfill Disposal	\$	
8	Cost for a pump truck to remove groundwater from the excavation. This cost is for one 8-hour day for truck and operator. Approval required <i>in advance</i> from both agencies for this activity.	\$	
9	Additional soil removal per ton for commodity costs only (includes mob/demob, confirmation sampling, and excludes consultant costs). Approval required <i>in advance</i> from both agencies for this activity.	/ton	
10	PECFA Claim Preparation	\$	
11	<b>Total Bid Amount (boxes 3-10) – this total shall be submitted on page 1 of the bid response.</b>	\$	